

FISCAL NOTE

SB 3315 - HB 3444

February 26, 2004

SUMMARY OF BILL: Removes from the definition of *manufacture* under the Drug Control Act, the exception that Schedule II methamphetamine was produced, prepared, propagated, compounded, converted, or processed *for the individual's own use*.

ESTIMATED FISCAL IMPACT:

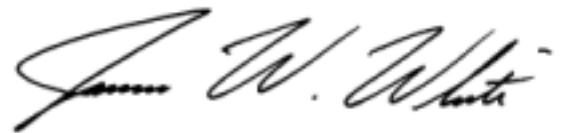
Increase State Expenditures - \$687,700/Incarceration*

Estimate assumes, based upon conviction data for Schedule II controlled substances excluding cocaine, and information provided by the district attorneys general and the district public defenders concerning the pattern of disposing of cases when the issue of the definition of manufacture arises, 138 cases involving methamphetamine will be convicted of a more serious offense when methamphetamine is removed from the *for the individual's own use* exception. Generally, these circumstances have involved a defendant being convicted of a lesser offense and, under the provision of the bill, the offense will be elevated to a Class C felony.

*Section 9-4-210, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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